IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE P.R.RAMAN

WEDNESDAY, THE 6TH DECEMBER 2006 / 15TH AGRAHAYANA 1928

WP(C).No. 31306 of 2006(S)

PETITIONER:

SASIDHARAN, AGED 39 YEARS,
S/O.RAMANKUTTY, NJATTUVETTI HOUSE,
NEDUMPAL, THRISSUR DISTRICT.

BY ADV. SRI.RENJITH THAMPAN

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY, PUBLIC WORKS DEPARTMENT,
THIRUVANANTHAPURAM.

2. EXECUTIVE ENGINEER (ROADS AND
BRIDGES DIVISION) PUBLIC WORKS
DEPARTMENT, THRISSUR.

3. ASSISTANT EXECUTIVE ENGINEER,
(ROADS AND BRIDGES DIVISION)
PUBLIC WORKS DEPARTMENT, IRINJALAKUDA.

4. ASSISTANT EXECUTIVE ENGINEER,
IRRIGATION DEPARTMENT,
IRINJALAKUDA.

BY GOVERNMENT PLEADER MR.T.B.HOOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.K. BALI, C.J. & P.R.RAMAN, J.

W.P.(C) No.31306 of 2006

Dated, this the 6th day of December, 2006

JUDGMENT

V.K.Bali,C.J.(Oral)

In this petition filed by way of public interest litigation it is averred that for connecting NH 47 with NH 17 there was a road called Konthipulam road. The said road is stated to be a major district road which starts from Nandipulam and reaches Irinjalakuda town and passes across the KLDC canal. A bridge namely Konthipulam bridge was constructed by the Public Works Department over the canal. The above road was being used by thousands of residents for going to the General Hospital, educational institutions, civil and criminal courts, Taluk Office, Government offices and even places of worship. The Konthipulam road is stated to be the first connecting road between NH 47 and NH 17. Large number of interstate vehicles as well as other transport vehicles including private buses are plying on the said road. In May, 2005 the above said bridge which was having only 60 metres length was demolished for

construction of a new bridge. The demolition of the existing bridge had caused huge traffic inconvenience. A bund was constructed inside the KLDC canal blocking the entire passage of water. When passage of water through KLDC canal was completely blocked because of the construction of a temporary bund, water began to rise in the adjoining paddy fields and garden lands and the cultivators of the garden lands demolished the temporary bund in the last week of July, 2006. Thus the only means of transport for the residents from Nedumpal, Nellayi and Parapukkara panchayats to Irinjalakuda town was cut off. In the wake of the circumstances as mentioned above the petitioner complains of delay in completion of the bridge.

2. During the last hearing date the learned Government Pleader was asked to have instructions. On instructions received by him he states that the construction of the temporary bridge will be completed before 15th December, 2006 and the maintenance of the bridge will be completed by 31st March, 2007. In view of the statement made by the learned Government Pleader on instructions received from the respondents there is no occasion to further deal with the case.

However, before we may part with this order, we would like to observe that the concerned respondents would strictly abide by the statement made by the learned Government Pleader in the Court.

Writ petition is disposed of accordingly.

V.K. BALI,
CHIEF JUSTICE.

P.R.RAMAN,
JUDGE.

vns